

QUERY CONTROL FORM				RTIS USE ONLY	
Application No.	09673468	Prepared by	CWC	Tracking Number	05869922
Examiner-GAU	WAKS 2834	Date	12-29-03	Week Date	12-01-03
		No. of queries	- , -	IFW	

JACKET					
a. Serial No.	f. Foreign Priority	k. Print Claim(s)	p. PTO-1449		
b. Applicant(s)	g. Disclaimer	l. Print Fig.	q. PTOL-85b		
c. Continuing Data	h. Microfiche Appendix	m. Searched Column	r. Abstract		
d. PCT	i. Title	n. PTO-270/328	s. Sheets/Figs		
e. Domestic Priority	j. Claims Allowed	o. PTO-892	t. Other		

SPECIFICATION	MESSAGE				
	Claim 17 (original 19) is missing.				
	Please advise. Thank you.				
	Application claim 19 has not been cancelled but is not allowed on Notice of Allowability. The Index of Claims shows application claim 19 as allowed and renumbered as patent claim 17. Please correct.				
CLAIMS	RESPONSE				
	Correction was made Supplemental Notice of Allowability was issued.				

Notice of Allowability	Application No.	Applicant(s)	
	09/673,468	EBERLE, WERNER	
	Examiner	Art Unit	
	Joseph Waks	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to RCE filed on July 24, 2003.
 2. The allowed claim(s) is/are 3-19.
 3. The drawings filed on _____ are accepted by the Examiner.
 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) The translation of the foreign language provisional application has been received.
 6. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. CORRECTED DRAWINGS must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No. _____.
 - (b) including changes required by the proposed drawing correction filed 24 July 2003, which has been approved by the Examiner.
 - (c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <input type="checkbox"/> Notice of References Cited (PTO-892) | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____. | <input type="checkbox"/> Examiner's Amendment/Comment |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | <input type="checkbox"/> Other |

Joseph Waks
Primary Examiner
Art Unit: 2834

USPTO

3/26/2004 9:00 AM PAGE 3/003 Fax Server

O:Janice Higgins COMPANY:

Continuation Sheet (PTOL-37)

Application No.